

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JAMES WHITE, #316659,

Plaintiff,

v.

DEPUTY GRIMSLEY,

Defendant.

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CASE NO. 1:20-CV-775-WKW
[WO]

ORDER

Plaintiff, an inmate confined at the Ventress Correctional Facility, recently initiated this 42 U.S.C. § 1983 action challenging actions which occurred during his confinement at the Houston County Jail. Prior to service of the complaint, Plaintiff filed a Motion to Withdraw in which he seeks dismissal of this case. (Doc. # 4.) The motion is CONSTRUED as a Notice of Voluntary Dismissal.

Under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, voluntary dismissal by a plaintiff is permitted “before the opposing party serves either an answer or a motion for summary judgment” Such dismissal is “without prejudice.” Fed. R. Civ. P. 41(a)(1)(B). Accordingly, Plaintiff’s action against Defendant has been dismissed without prejudice by operation of Rule 41(a)(1).

The Clerk of the Court is DIRECTED to close this case.

DONE this 27th day of October, 2020.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE